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**JAN 27 2005**

**OFFICE OF PETITIONS**

In re Application of :  
Timothy G. McNamara et al : DECISION ON PETITION  
Application No. 09/313,261 : UNDER 37 CFR 1.137(b)  
Filed: May 18, 1999 :  
Attorney Docket No. YO9-99-091 :

This is a decision on the petition under 37 CFR 1.137(b), filed October 15, 2004, to revive the above-identified application.

The petition is granted.

This application became abandoned for failure to timely pay the issue fee on or before July 8, 2003, as required by the Notice of Allowance and Fee(s) Due mailed April 8, 2003. A Notice of Abandonment was mailed on August 7, 2003.

The petition satisfies the requirements for a grantable petition in that the reply in the form of the issue fee payment of \$1,370; the petition fee of \$1,370; and the required statement of unintentional delay have been submitted. Accordingly, the issue fee is accepted as having been unintentionally delayed.

There is no indication that petitioner has submitted an Issue Fee Transmittal Form (PTOL-85b). Accordingly, if petitioner desires to have the information normally found thereon printed on the patent, the Issue Fee Transmittal Form should be completed and returned to the Publishing Division within **ONE MONTH** from the mail date of this decision.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Publishing Division.

*Frances Hicks*  
Frances Hicks

Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy